

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

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|--------------------------|---|---|
| CHARLES DONNALLY CARTER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 1:23-cv-1602 (RDA/IDD) |
| |) | |
| BELL PARTNERS INC, |) | |
| |) | |
| Defendant. |) | |

ORDER

This matter comes before the Court upon the Report and Recommendation (“Recommendation”) issued by Magistrate Judge Ivan D. Davis on November 29, 2023. Dkt. 3. In this race and age discrimination case, Magistrate Judge Davis recommends that the Court deny Plaintiff’s Motion to Proceed *in Forma Pauperis* (“IFP”). Dkt. 2.

Pursuant to Federal Rule of Civil Procedure 72, the deadline for submitting objections to Magistrate Judge Davis’ Recommendation was December 13, 2023. To date, no objections have been filed.

After reviewing the record and Magistrate Judge Davis’ Recommendation, and finding no clear error,¹ the Court hereby APPROVES and ADOPTS the Recommendation (Dkt. 3). Accordingly, Plaintiff’s Motion to Proceed IFP (Dkt. 2) is DENIED. It is hereby ORDERED that the Complaint is DISMISSED WITHOUT PREJUDICE with leave to submit to this Court the

¹ See *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (holding that in the absence of any objections to a magistrate judge’s recommendation, the Court “need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation’” (quoting Fed. R. Civ. P. 72)).

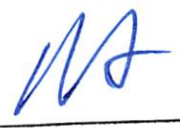
required filing fee within thirty (30) days of the date of this Order. Should Plaintiff submit the full filing fee within thirty (30) days, the Clerk shall reopen the case.

To appeal this decision, Plaintiff must file a written notice of appeal with the Clerk of this Court within 30 days of the date of entry of this Order. A notice of appeal is a short statement indicating a desire to appeal, including the date of the order Plaintiff wants to appeal. Plaintiff need not explain the grounds for appeal until so directed by the court of appeals. Failure to file a timely notice of appeal waives Plaintiff's right to appeal this decision.

The Clerk is directed to forward a copy of this Order to Plaintiff, who is proceeding *pro se*, and to close this civil action.

It is SO ORDERED.

Alexandria, Virginia
February 21, 2024

/s/ 

Rossie D. Alston, Jr.
United States District Judge